

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CARMINE P. AMELIO, et al,	:	22-CV-0975 (DEH) (RWL)
	:	
Plaintiffs,	:	ORDER
	:	
- against -	:	
	:	
GALIA HOURI, EYAL RONEN, et al,	:	
	:	
Defendants.	:	
-----X	:	

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order addresses Plaintiffs’ request at Dkt. 128 to extend the date for them to file a Fourth Amended Complaint (“4AC”).

Plaintiffs first sought to file their 4AC on September 22, 2023. (Dkt. 49; *see also* Dkts. 71, 80-83, 88.) On April 4, 2024, the undersigned issued a report and recommendation (“R&R”) to grant the Legal Aid Society Defendants’ motion to dismiss, and granting in part Plaintiffs’ motion to file their 4AC, subject to excluding claims that were futile on their face as explained in the R&R. (Dkt. 97.) On September 13, 2024, the District Judge adopted the R&R in full, giving Plaintiffs until October 4, 2024, to file their 4AC. (Dkt. 115.) Following the grant of a requested extension to file a motion for reconsideration that was never filed, the undersigned extended the deadline for Plaintiffs to file the 4AC to November 1, 2024. (Dkt. 118.) Plaintiff then filed motions for reconsideration and recusal, both of which were denied in mid-April 2025. (Dkts. 125, 126.) On April 22, 2025, the undersigned set a new deadline for filing of the 4AC until May 13, 2025. (Dkt. 127.)

In short, Plaintiffs have sought to file their 4AC since September 22, 2023, and have had since September 13, 2024, to conform it to exclude the claims identified as futile in the R&R. Plaintiff's plea for yet more time to file their 4AC is merely yet another instance of Plaintiffs routinely drawing out matters, seeking multiple extensions, and waiting until the due dates of filings to ask for extensions. In every instance, Plaintiffs allege a number of medical and personal reasons for needing more time. The Court has accommodated those requests when they have been reasonable. But as noted previously by the Court, Plaintiff Carmine Amelio has previously been determined to be a vexatious litigant who "has demonstrated a history of vexatious, harassing, and duplicative lawsuits" and "purposely filed frivolous and vexatious motions and pleadings." *Amelio v. Piazza*, No. 19-CV-5944, 2020 WL 5535241, at *2, 4 (S.D.N.Y. Sept. 14, 2020).

Accordingly, Plaintiffs' request for a further extension of the deadline to file a Fourth Amended Complaint is DENIED. The Third Amended Complaint remains the operative complaint.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: May 15, 2025
New York, New York

Copies transmitted this date to all counsel of record. The Court respectfully requests the Clerk of Court to mail a copy of this Order to the pro se Plaintiffs.